

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

FILED

02 JUL 25 PM 12:44  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

VERONICA McCALLUP,

Plaintiff,

v.

STATE OF ALABAMA, et.al.,

Defendants.

CV 02-J-509-S

ENTERED

JUL 25 2002  
asl

MEMORANDUM OF OPINION


The magistrate judge filed a report and recommendation on June 25, 2002, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). The plaintiff filed objections (Document #7 and #8) to the report and recommendation on July 5<sup>th</sup> and 12<sup>th</sup>, 2002. Included within the plaintiff's July 12, 2002, objections is an amendment to her complaint. The amendment adds "Lord and Associates, Inc." and "The Gardens, Inc." (which may be the plaintiff's personal businesses), as additional corporate plaintiffs because the alleged constitutional violations she has endured have caused her financial detriment. Even if a corporate plaintiff had standing to bring a 42 U.S.C. § 1983 allegations against the defendants, the underlying claims in this action are still due to be dismissed for the reasons set out in the report and recommendation. Accordingly, plaintiff's amended complaint is due to be dismissed for failure to state a claim upon which relief may be granted.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is

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ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b). An appropriate order will be entered.

DATED this 25 day of July, 2002.



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INGE P. JOHNSON  
UNITED STATES DISTRICT JUDGE